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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Mohamed Abouelhassan,
Plaintiff,
v.
United States, et al.,
Defendants.

Case No. C 08-03774 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
RESPONSE TO COMPLAINT,
CONSENTING TO MAGISTRATE,
AND SCHEDULING CASE
MANAGEMENT CONFERENCE**

The parties to this action, through their counsel of record, hereby stipulate that defendants may have an extension of time to and including December 30, 2008, to answer, move, or otherwise respond to the complaint. Defendants currently anticipate filing a motion to dismiss.

In addition, in accordance with the provisions of Title 28, U.S.C. Section 636(c), all parties hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

This case was recently deemed related to a previously filed case, *Mohamed Abouelhassan v. Allison, et al.*, Case No. C07-4038 RS, which has been stayed. Accordingly, the previously scheduled case management conference was vacated. The parties request that the

1 initial case management conference for the instant case be scheduled in approximately 120 days
2 to allow for a hearing on defendants' expected motion to dismiss.

3 IT IS SO STIPULATED.

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5 DATED: November 26, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier¹

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CLAIRE T. CORMIER
Assistant United States Attorney

DATED: November 25, 2008

/s/ Mark Malachowski

MARK MALACHOWSKI
Attorney for Plaintiff

~~[PROPOSED]~~ ORDER

Pursuant to the stipulation of the parties, the deadline for defendants to answer, move, or
otherwise respond to plaintiff's complaint is extended to December 30, 2008. The initial case
management conference will take place on April 1, 2009 at 2:30 p.m.

A Joint Case Management Statement is due seven calendar days before the conference.

IT IS SO ORDERED.

DATED: December 1, 2008


RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE

¹ I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any
signatures indicated by a "conformed" signature (/s/) within this e-filed document.